

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58177 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- ROSERA District- Samastipur

ARVIND KUMAR SAHANI @ ARVIND SAHANI son of Tarun Sahni Village- Haripur Ghat Ps- Khanpur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate.
		Mr. Shishir Kumar Shishir, Advocate.
For the Opposite Party/s:		Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rosera P.S. Case o. 55 of 2022 dated 24.2.2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, informant who runs an Aadhar Card Centre was robbed of his motorcycle, laptop, Mobile phone and cash amount of Rs.14,000/- by three unknown miscreants at gun point. The name of petitioner surfaced during investigation as one of the miscreants.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. Nothing incriminating has been recovered from person/possession of the petitioner. The name of the petitioner transpired in this case on the basis of confessional statement of co-accused Raju Kumar. The petitioner is remanded in this case on 12.7.2022. The petitioner has got criminal antecedents of six cases and in one such case he has been acquitted and in all other cases he is on bail.

5. Learned APP opposes the prayer for bail submitting that the petitioner and other co-accused are found in contact with each other through mobile phones and its location was near the place of occurrence.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the possession of the petitioner or at his instance and further considering the period of custody and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Rosera, Samastipur, in connection with Rosera P.S. Case No. 55 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following



conditions:-

- (i) *One of the bailors will be a close relative of the petitioner.*
- (ii) *The petitioner will remain present on each and every date fixed by court below.*
- (iii) *In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.*

(Arun Kumar Jha, J)

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